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Manoj Modi

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/677,037
Filing Date: September 30, 2003
Appellant(s): MODI, MANOJ

Robert D. Atkins
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed Jan. 22, 2008 appealing from the Office action mailed Oct. 19, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

U.S. Patent No. 6327574	Kramer et al.	Dec. 4, 2001
U.S. Patent No. 6,694,331	Lee	Feb. 17, 2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 9-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,574 issued to Kramer et al. (hereinafter referred as Kramer) in view of U.S. Patent No. 6,694,331 issued to Lee.

As to claims 1, 9, 15, 22 and 26-27, Kramer discloses a computer system for managing real property which having means and methods as claimed by applicant, comprising

storing real property information from a portfolio of real properties on a central database organized under a plurality of information categories [e.g., col. 2, lines 50-55, the Generic TIC databases at col. 12, lines 15 – col. 13, line 53], including a general purpose category [e.g., the metadata at col. 12, lines 34-43], infrastructure category [e.g., the model(s) data at col. 12, lines 27-33], business category [e.g., the facts databases at col. 12, lines 17-26], accounting category [e.g., the statistic, accounting database, col. 13, lines 50] and maintenance category [e.g., the record of Calendar at col. 12, lines 45-53];

providing a website [e.g., the third party servers 602, Fig. 6 and associated texts];

selecting and retrieving the real property information from first and second information categories on the central database [e.g., the selection engine at col. 13, lines 5-19; the TIC servers 604, Fig. 6 and associated texts; col. 17, lines 53 – col. 18, lines 16]; and

combining the selected real property information from the multiple information categories to provide a composite view of the real property [e.g., col. 3, lines 22-32, 50-60];

displaying the real property information from the central database on the website for a first user, wherein the first user edits the real property information [e.g., the use of World Wide Web browser, col. 8, lines 15-23, col. 9, lines 27-43].

Kramer did not specifically express that each item of real property information is stored in only one of the plurality of information categories.

However, Lee discloses each item of real property information is stored in only one of the plurality of information categories [e.g., Fig. 3 and associated texts].

Kramer and Lee are both in the same endeavor to optimize network document accessing by providing data cataloging or grouping [e.g., Kramer: col. 3, lines 47-49; Lee: Fig. 5 and associated texts], hence, with the teachings of Kramer and Lee in front of him/her, it would have been obvious for an ordinary skilled person in the art at the time the invention was made to be motivated to modify Kramer's system with the cataloging technique as taught by Lee, because by doing so, each item of real property information of searching is stored in only one distinct categories by removing duplicate from the processed document, which will result in a more efficient storage usage and facilitate the network data navigating.

As to claims 2, 11, 16 and 23, the combined system of Kramer and Lee further discloses the following:

a communication network for accessing the real property information from the central database [e.g., Kramer: the Internet, Fig. 6 and associated texts]; and

a first computer system remote from the central database for displaying the real property information for a first user [e.g., Kramer: the client unit 600, Fig. 6 and associated texts].

As to claims 3, 10, 17 and 24, the combined system of Kramer and Lee further discloses that the first user edits the real property information from the first computer system and saves edited real property information to the central database [e.g., Kramer: Scenario 1 at col. 18, lines 49-67].

As to claims 4, 12, 18 and 25, the combined system of Kramer and Lee further discloses the following:

accessing the edited real property information from the central database through the communication network [e.g., Kramer: the use of URL at col. 1, line 34-39] ; and

displaying the edited real property information for a second user operating a second computer system remote from the central database [e.g., Kramer: the Scenario 2 at col. 19, lines 1-17].

As to claims 13-14, 19-21, the steps in the claimed method are deemed to be made obvious by the functions of the apparatus structure as recited in claims 22-25 in the combination discussed above, hence were rejected for the same reasons.

(10) Response to Argument

Applicant's arguments filed on Jan. 22, 2008 have been fully considered but they are not persuasive.

The Applicant's Invention:

A real property management system uses Web pages to access and retrieve stored database information over network.

The examiner disagrees with appellant's piece-meal interpretation / arguments that were summarized as following:

Kramer reference does not disclose the combination of a general purpose category, infrastructure category, business category, accounting category and maintenance category in the context of real property.

In reply to the above arguments, the examiner first points out that appellant neither define the scopes of the claimed real property, nor claimed the detail attributes of the claimed four categories, as such, the claimed language is open for its broadest reasonable art interpretation, so that the meaning of the terms in the claims may be ascertainable by reference to the description. In re 37 CFR 1.75(d)(1). 415 F.3d at 1316, 75 USPQ2d at 1329. See also< In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000).

In addition, Kramer clearly disclosed his system comprised a data warehouse that aggregate information from a variety of sources, create demographic segments with associated consumer preference, decide which segment or segments a consumer occupies, and sent information relevant to that segment to the consumer [e.g., Kramer: col. 2, lines 50-55], wherein the data warehouse is deemed read on the claimed central database and the various sources aggregated by Kramer's system do include the

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claimed real property information such as real estate data [e.g., Kramer: col. 31, lines 33-38]. Furthermore, Kramer clearly disclosed the database of information about consumers is maintained by Tenant In Common (TIC) components, which is organized to include a general purpose category [e.g., Kramer: the metadata, col. 12, lines 34-43], infrastructure category [e.g., Kramer: the model(s) data, col. 12, lines 27-33], business category [e.g., the facts data, col. 12, lines 17-26] and maintenance category [e.g., the calendar data, col. 12, lines 45-53]. Moreover, Kramer clearly disclosed that the database information can be generic modeled into personalized contents that can displayed to a customer for selectively review via the customized World Wide Web pages provided by a network browser [e.g., col. 2, lines 56 – col. 2, lines 60, and col. 8, lines 15-40]. Thus, in contrary to appellant arguments, Kramer's invention clearly disclosed the argued limitations.

Furthermore, Lee's invention disclosed classifying real intellectual property information into various categories using a class search module (e.g., the unit 310, Fig. 1) that is programmed to display classified search results in any preference designated by a user, wherein the search module will remove any duplicates arising from common classified documents or information which lead to each item of real intellectual property information is stored in a screen with only one of the plurality of information categories [e.g., Col. 7, lines 42-52, Fig. 3 and associated texts].

Kramer and Lee are both in the same endeavor to optimize network document accessing by providing data cataloging or grouping [e.g., Kramer: col. 3, lines 47-49; Lee: Fig. 5 and associated texts], hence, with the teachings of Kramer and Lee in front

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of him/her, it would have been most expected for an ordinary skilled person in the art at the time the invention was made to modify Kramer's system with the elimination of duplicate categories technique as taught by Lee, such that , the merged system is deemed to be upgraded to have more efficient storage usage and provide a more efficient way to navigate or access network data.

Based on the discussion above, because applicant does not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections, therefore, it is believed that the rejections on record should be sustained.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

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